



PTO/SB/30 (09-03)

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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/227,881
Filing Date	January 11, 1999
First Named Inventor	Thai D. NGUYEN et al.
Art Unit	1635
Examiner Name	James Schultz
Attorney Docket Number	16491.066

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

- ii. ☒ Other Do not enter the Amendment After Final dated Nov. 13, 2003.

- b. ☒ Enclosed

- i. ☒ Amendment/Reply

- iii. ☒ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/ Declaration(s)

- iv. ☒ Other Petition for Extension of Time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 50-2387

- i. ☒ RCE fee required under 37 CFR 1.17(e)

- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Joseph W. Ricigliano	Registration No. (Attorney/Agent)	48,511
Signature	<i>Joseph W. Ricigliano</i>	Date	March 12, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thai D. Nguyen *et al.*

Appln. No.: 09/227,881

Filed: January 11, 1999

For: *Nucleic Acids, Kits and Methods for the
Diagnosis, Prognosis and Treatment of
Glaucoma and Related Disorders*

Group Art Unit: 1635

Examiner: Schultz, James

Docket No.: 16491.066

Submission Accompanying a Request for Continuing Examination

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop AF

Sir:

In response to the Office Action dated August 13, 2003, and the Advisory Action dated December 10, 2003, Applicants submit the attached Request for Continuing Examination (RCE) and the following Comments, Amendments, and Remarks.

Applicants do not believe any fees are due in conjunction with this submission other than those set forth in the accompanying transmittal letter. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. If any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time or additional claims, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16491.066.

INTRODUCTORY COMMENTS

Following entry of this amendment claims 79-81 and 92-96, 98-126, and newly added claim 127 – 143, will be pending. Claims 92, 93, 95, 98, 99, 101, 104, 105, 107, 110, 111, 113, 116, 117, 119, 122, 123, and 125 stand withdrawn from consideration as being drawn to non-elected subjected matter.